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FISCAL IMPACT STATEMENT

LS 7899

BILL NUMBER: SB 483

NOTE PREPARED: Apr 19, 2005

BILL AMENDED: Mar 17, 2005

SUBJECT: Voter Identification.

FIRST AUTHOR: Sen. Heinold

FIRST SPONSOR: Rep. T. Brown

BILL STATUS: Enrolled

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill has the following provisions:

Proof of Voter Identification- The bill requires a precinct election officer to ask a voter to provide proof of identification before the voter is permitted to vote. The bill provides that a proof of identification is a document issued by the United States or the state of Indiana that shows: (1) the name of the individual to whom the document was issued; and (2) a photograph of that individual. The bill allows the use of a document that expired after the date of the most recent general election. The bill specifies that voters casting an absentee ballot or voters who vote from certain health facilities at which the precinct polls are located are not required to provide proof of identification.

Provisional Ballots- The bill specifies that a voter who is unable or declines to produce proof of identification at the polls receives a provisional ballot if the voter signs the affidavit required for a provisional ballot. The bill requires the county election board to count the provisional ballot if : (1) the voter appears before the board after leaving the polls and before noon on the Monday following the election, and: (A) produces proof of identification; or (B) executes an affidavit stating that the voter cannot obtain proof of identification, because the voter: (I) is indigent; or (ii) has a religious objection to being photographed; and (2) the voter has not been challenged or required to vote a provisional ballot for any other reason.

Absentee Ballots- The bill specifies that a voter casting an absentee ballot is not required to provide proof of identification. The bill requires a voter who registered by mail and is voting for the first time in a county election to continue to provide the documentation required by federal law as well producing proof of identification. The bill adds cross-references concerning poll lists.

Bureau of Motor Vehicles: The bill provides that the Bureau of Motor Vehicles (BMV) may not impose a fee for the issuance of an identification card (ID) when an individual does not have a valid Indiana driver's license and will be at least 18 by the next general, municipal, or special election.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues: (Revised) *Bureau of Motor Vehicles:* Under the bill, the Bureau of Motor Vehicles (BMV) may not impose a fee for the issuance of an ID card when an individual does not have a valid Indiana driver's license and the individual will be at least 18 by the next general, municipal, or special election. From CY 2000 to CY 2004 the BMV has issued an average of 210,900 ID cards and an average of 15,900 special identification cards annually.

It is estimated that the BMV would experience an annual revenue loss of approximately \$700,000 under this provision beginning in FY 2006. The revenue loss is based on the following information received from the BMV. The current number of individuals who are the age of 18 and who have a valid ID card and do not have a valid Indiana driver's license is 308,330. Because the ID is valid for a 4-year period, the number of annual issuances for this population is estimated to be about 77,100 (308,330/4). The fee for most ID cards is \$9. (Some special ID cards are issued for a \$7 fee, however, about 93% of all ID cards are issued for the \$9 fee.) Consequently, the annual revenue loss is estimated to be \$694,000. Revenue from identification cards is deposited into the Motor Vehicle Highway Account, the Motor Vehicle Technology Fund, the state License Branch Fund, and the Anti-Terrorism Fund.

In addition, there may be additional ID cards requested and issued because of the no-cost provision. The amount is unknown, but if there is a 5% increase, the additional cost of producing the ID cards is \$1.54 per card. A 5% increase in ID cards issued would amount to approximately \$6,000 annually. The fund affected is the MVHA, which supports the BMV.

Total reduced revenue and additional expenditures from this provision are estimated to be approximately \$700,000 annually.

Explanation of Local Expenditures: *Summary-* Under the bill, poll clerks and assistant poll clerks would check photo identification of voters before allowing entrance to the polls. If a voter either failed or refused to produce the identification required under the bill, or a poll worker were to determine that the identification presented did not qualify as proof of identification of the voter, the voter would be required to be challenged by the precinct election board. Upon completion of the proper affidavit, a challenged voter, under the bill, would be able to vote on a provisional ballot.

Additionally, the bill would give the option to challenged voters to appeal their challenge with the county election board (CEB). The CEB would determine if the challenge had been made for a valid reason under the bill. The CEB would be required to determine if the sole reason for a voter challenge was due to proof of identification issues. A challenged voter could have their challenge overturned and their ballot processed by presenting their proof of identification to the CEB. Voters that were solely challenged for proof of identification and were indigent or had a religious objection to being photographed would be able to have their provisional ballot processed.

These provisions of the bill would add to the administrative responsibility of both the county election boards and precinct election boards. However, the provision should be able to be administered within existing local resources.

Background- Based on a small sample of Indiana counties, per diem for election board members range from \$65 to \$150 for inspectors and from \$40 to \$100 for judges, clerks, and sheriffs.

Explanation of Local Revenues:

State Agencies Affected: Bureau of Motor Vehicles.

Local Agencies Affected: County election boards, precinct election boards.

Information Sources: Various County Election Boards and County Circuit Court Clerk's Offices.

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